IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.15267 of 1999

Between:

S. Devaiah, S/o. S.Ratnaiah,
aged about 30 years, Occ: Civil Engineer,

Ramachandrapuram, BHEL, R.R. District.

..... PETITIONER

AND

1 Union of India , Rep.by its secretary,

Law & Company Affairs,
Kendra Sachivalayam, New Delhi.

2 The District Consumer Dispute Redressal Forum,
R.R. District, at Saroornagar, Hyderabad.

3 G. Ramesham,
Q.No.58/C, Type -III,N.H.1,
BHEL R.C.Puram, Hyderaabad-32.

4 Arif Hussain,General Manager,

M/s. Bhagyanagar Cements (P)Ltd.,
R/o. H.No.11-5-409,Red Hills, Lakdikapool,
Hyderabad.

5 Laxman Prasad, Dinesh Designers,
9-65,Besude Vani Vidyalaya, Srinivasanagar Colony,
Ramachandrapuram , Medak District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the provisions U/s.27 of the Consumer Protection Act,1986 as being Violative of Articles 14 & 21 of the Constitution of India and consequentially declare the proposed punishment in P.P.NO.24/98 in C.D.No.21/90 on the file of the dist Consumer Dispute Redressal Forum, R.R.Dist at Saroornagar as bad, illegal and violative of Art.14 and 21 of the Constitution of India.

Counsel for the Petitioner: MR.T. JAGDISH

Counsel for Respondent No.1: MR.A. RAJASHEKAR REDDY (SC FOR CG)

Counsel for Respondent No.2: G.P. for Cooperation.

Counsel for Respondent Nos.3.Mr. Nooty Rammohan Rao, Adv.

Counsel for Respondent Nos.4 & 5: None appeared.

The Court made the following :

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ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V. Ratnam v. Union of India & Others***.

Following the decision of the Full Bench, this writ petition is required to be dismissed and the same shall accordingly stand dismissed without any order

as to costs.

However, the petitioner shall have the advantage of the observations made in the judgment and the remedy to prefer appeal against the decision of the District Forum is left open.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

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K.C. BHANU, J

PV

To

1 The Secretary, Union of India,
Law and Company Affairs, Kendra Sachivalayam,

New Delhi.

2 The Chairman, Consumer Disputes Redressal Forum,
R.R. District, at Saroornagar, Hyderabad.

3. Two C.Cs. to G.P. for Cooperation, High Court of A.P.,
Hyderabad (O.U.T.).

4. Two C.D. copies.